

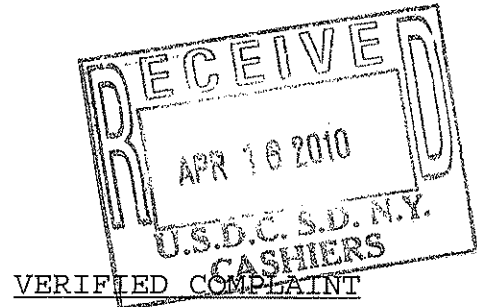
Judge Pauley

10 CIV 3254

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA
:
-v.-
:
\$14,665 IN UNITED STATES CURRENCY,
:
Defendant-in-rem.
:
- - - - - x



10 Civ.

Plaintiff United States of America, by its attorney,
Preet Bharara, United States Attorney for the Southern District of
New York, for its verified complaint alleges, upon information and
belief, as follows:

I. JURISDICTION AND VENUE

1. This action is brought by the United States of
America pursuant to Title 21 United States Code, Section
881(a) (6) seeking the forfeiture of \$14,665 in United States
currency (the "Defendant Currency").

2. This Court has jurisdiction pursuant to Title 28,
United States Code, Sections 1345 and 1355. Venue is proper
under Title 28, United States Code, Section 1355(b) (1) (A) because
acts and omissions giving rise to forfeiture took place in the
Southern District of New York, and pursuant to Title 28, United

States Code, Section 1355(b)(1)(B) and 1395(b) because the Defendant Currency was found and seized in the Southern District of New York.

3. The Defendant Currency is presently on deposit in the United States Marshals Service Seized Assets Deposit Account.

II. PROBABLE CAUSE FOR FORFEITURE

4. On or about August 22, 2009, members of the New York City Police Department (the "NYPD") were conducting surveillance in the area of Park Avenue and East 106th Street in New York City, an area known to the police for narcotics trafficking.

5. In the course of the surveillance, NYPD officers overheard the following transmission from a Nextel radio in the possession of an individual subsequently identified as Jason Rodriguez ("RODRIGUEZ"): "I have the nine, bring the bread. If you don't like it, I'll give you back the bread."

6. As a result of observations made during the surveillance by NYPD officers, the police stopped several individuals for suspected narcotics sales, including RODRIGUEZ.

7. The police found the Defendant Currency on RODRIGUEZ's person. RODRIGUEZ was brought to an NYPD Station House for questioning.

8. At the NYPD Station House, RODRIGUEZ made conflicting statements regarding the Defendant Currency. He

first stated that he was using the Defendant Currency to purchase a van, but then said that he was using the Defendant Currency to purchase clothes. RODRIGUEZ was unable to provide any documentation that would show he had obtained the Defendant Currency legally.

9. The Defendant Currency consisted of 26 one-hundred dollar bills, 15 fifty-dollar bills, 472 twenty-dollar bills, 162 ten-dollar bills, 46 five-dollar bills, and 25 one-dollar bills.

III.. CLAIM FOR FORFEITURE

10. Incorporated herein are the allegations contained in paragraphs one through nine of this Complaint.

11. Pursuant to Title 21, United States Code, Section 881(a)(6), all moneys furnished or intended to be furnished in exchange for a controlled substance, all proceeds traceable to such exchanges, and all moneys used or intended to be used to facilitate a controlled substance offense, in violation of Title 21 of the United States Code, are subject to seizure and forfeiture to the United States, and no property right exists in such monies or proceeds.

12. The Defendant Currency is subject to forfeiture pursuant to Title 21, United States Code, Section 881(a)(6) because there is probable cause to believe that it constitutes moneys intended to be furnished in exchange for a controlled substance, and/or proceeds traceable to such exchanges, and/or

moneys used or intended to be used to facilitate such exchanges, in violation of Title 21 of the United States Code.


13. By reason of the above, the Defendant Currency became, and is, subject to forfeiture to the United States of America, pursuant to Title 21, United States Code, Section 881(a)(6).

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the Defendant Currency and that all persons having an interest in the Defendant Currency be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the Defendant Currency to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
April 16, 2010

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